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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,865	02/23/2004	John H. Yoakum	7000-334	9478
27820	7590	03/14/2008	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C.			HIGHTER, TREVILLIAN H	
100 REGENCY FOREST DRIVE			ART UNIT	PAPER NUMBER
SUITE 160			4152	
CARY, NC 27518				

  

MAIL DATE	DELIVERY MODE
03/14/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/784,865	YOAKUM ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	TREVILLIAN H. HIGHTER	4152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 23 February 2004.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-42 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-42 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## DETAILED ACTION

1. Claims 1-42 are pending in this application.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Dyke (Pub. No. US 2003/0145054 A1), hereinafter Dyke.**

4. With respect to claim 1, Dyke discloses a) receiving a session request ([0028], lines 4-14) including additional information originating from a sending communication client ([0028], lines 4-14); b) establishing a communication session ([0033], lines 4-8) with the sending communication client ([0033], lines 4-8) in response to the session request ([0033], lines 4-8); and

c)determining an action to take ([0033], lines 1-8) in association with the communication session ([0033], lines 4-8) based on the additional information ([0028], lines 4-14).

5. With respect to claim 22, Dyke discloses a) a communication interface ([0028], lines 4-7; [0021], lines 8-11; user agent consist of a communication interface); and b) a control system ([0020], lines 4-6, 9-11) associated with the communication interface ([0028], lines 4-7; [0021], lines 8-11; user agent consist of a communication interface) and i) receive a session request ([0028], lines 4-14) including additional information originating from a sending communication client ([0028], lines 4-14); ii)establish a communication session ([0033], lines 4-8) with the sending communication client ([0033], lines 4-8) in response to the session request ([0033], lines 4-8); and iii)determine an action to take ([0033], lines 1-8) in association with the communication session ([0033], lines 4-8) based on the additional information ([0028], lines 4-14).

6. With respect to claim 2, Dyke discloses the additional information ([0028], lines 4-14) is context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource Identifier (URI) to identify a desired conference).

7. With respect to claim 3, Dyke discloses the context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource

Identifier (URI) to identify a desired conference) identifies an association ([0057], lines 1-3, conference URI relates to an association of participants within a conference) related to a subject matter ([0057], lines 1-3, it is apparent that conference relates to a subject matter) of the communication session ([0033], lines 4-8).

8. With respect to claim 4, Dyke discloses the association is an association of people, information, or things ([0057], lines 1-3, conference URI relates to an association of participants within a conference).

9. With respect to claim 5, Dyke discloses the context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource Identifier (URI) to identify a desired conference) identifies an association ([0057], lines 1-3, conference URI relates to an association of participants within a conference) related to the action ([0033], lines 1-8).

10. With respect to claim 6, Dyke discloses the additional information ([0028], lines 4-14) is an instruction to take the action ([0033], lines 1-8).

11. With respect to claim 7, Dyke discloses the additional information ([0028], lines 4-14) comprises context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource Identifier (URI) to identify a desired conference) and an instruction to take the action ([0033], lines 1-8).

12. With respect to claim 8, Dyke discloses initiating the action ([0033], lines 1-19).

13. With respect to claim 9, Dyke discloses the action comprises providing information to a user ([0033], lines 8-11).

14. With respect to claim 10, Dyke discloses displaying ([0023], lines 5-9; [0021], lines 5-11, when a desktop computer is used, it is apparent that a monitor displays information) the information to the user ([0033], lines 8-11).

15. With respect to claim 11, Dyke discloses recording at least a portion of the communication session ([0069], lines 10-14).

16. With respect to claim 12, Dyke discloses storing information related to the communication session ([0069], lines 10-14, when recording data, it is apparent that the data is stored).

17. With respect to claim 13, Dyke discloses initiating at least one communication session with a communication client other than the sending communication client ([0050], lines 5-8).

18. With respect to claim 14, Dyke discloses creating a conference with the sending communication client ([0028], lines 4-14) and the communication client other than the sending communication client (0050], lines 5-8).

19. With respect to claim 15, Dyke discloses allowing only select communication clients to join the communication session ([0045], lines 5-10).

20. With respect to claim 16, Dyke discloses obtaining information for at least one user participating in the session ([0063], lines 15-17, when playing audio data, it is apparent the data was previously obtained).

21. With respect to claim 17, Dyke discloses providing information for at least one user participating the session ([0063], lines 15-17).

22. With respect to claim 18, Dyke discloses accessing a web site ([0020], lines 4-6, 17-21, the Internet carries various information and services, such as web pages, therefore accessing a web site is apparent).

23. With respect to claim 19, Dyke discloses providing an email or instant message ([0020], lines 4-6, 17-21, the Internet carries various information and services, such as electronic mail and online chat, therefore, providing email or instant message is apparent).

24. With respect to claim 20, Dyke discloses initiating a call ([0011], lines 1-4, employing a SIP INVITE signaling method, indicates initiating a call to a method).

25. With respect to claim 21, Dyke discloses the action ([0033], lines 1-8) is initiated by sending a message instructing an application to take the action ([0049], lines 1-5, Control Agent sends a message to the Media Server to join a conference).

26. With respect to claim 23, Dyke discloses the additional information ([0028], lines 4-14) is context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource Identifier (URI) to identify a desired conference).

27. With respect to claim 24, Dyke discloses the context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource Identifier (URI) to identify a desired conference) identifies an association ([0057], lines 1-3, conference URI relates to an association of participants within a conference) related to a subject matter ([0057], lines 1-3, it is apparent that conference relates to a subject matter) of the communication session ([0033], lines 4-8).

28. With respect to claim 25, Dyke discloses the association is an association of people, information, or things ([0057], lines 1-3, conference URI relates to an association of participants within a conference).

29. With respect to claim 26, Dyke discloses the context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource Identifier (URI) to identify a desired conference) identifies an association ([0057], lines 1-3, conference URI relates to an association of participants within a conference) related to the action ([0033], lines 1-8).

30. With respect to claim 27, Dyke discloses the additional information ([0028], lines 4-14) is an instruction to take the action ([0033], lines 1-8).

31. With respect to claim 28, Dyke discloses the additional information ([0028], lines 4-14) comprises context indicia ([0028], lines 7-14, context indicia is interpreted as a public conference Universal Resource Identifier (URI) to identify a desired conference) and an instruction to take the action ([0033], lines 1-8).

32. With respect to claim 29, Dyke discloses the control system ([0020], lines 4-6, 9-11) is further adapted to initiate the action ([0033], lines 1-19).

33. With respect to claim 30, Dyke discloses the action comprises providing information to a user ([0033], lines 8-11).

34. With respect to claim 31, Dyke discloses displaying ([0023], lines 5-9; [0021], lines 5-11, when a desktop computer is used, it is apparent that a monitor displays information) the information to the user ([0033], lines 8-11).

35. With respect to claim 32, Dyke discloses recording at least a portion of the communication session ([0069], lines 10-14).

36. With respect to claim 33, Dyke discloses storing information related to the communication session ([0069], lines 10-14, when recording data, it is apparent that the data is stored).

37. With respect to claim 34, Dyke discloses initiating at least one communication session with a communication client other than the sending communication client ([0050], lines 5-8).

38. With respect to claim 35, Dyke discloses creating a conference with the sending communication client ([0028], lines 4-14) and the communication client other than the sending communication client ([0050], lines 5-8).

39. With respect to claim 36, Dyke discloses allowing only select communication clients to join the communication session ([0045], lines 5-10).

40. With respect to claim 37, Dyke discloses obtaining information for at least one user participating in the session ([0063], lines 15-17, when playing audio data, it is apparent the data was previously obtained).

41. With respect to claim 38, Dyke discloses providing information for at least one user participating the session ([0063], lines 15-17).

42. With respect to claim 39, Dyke discloses accessing a web site ([0020], lines 4-6, 17-21, the Internet carries various information and services, such as web pages, therefore accessing a web site is apparent).

43. With respect to claim 40, Dyke discloses providing an email or instant message ([0020], lines 4-6, 17-21, the Internet carries various information and services, such as electronic mail and online chat, therefore, providing email or instant message is apparent).

44. With respect to claim 41, Dyke discloses initiating a call ([0011], lines 1-4, employing a SIP INVITE signaling method, indicates initiating a call to a method).

45. With respect to claim 42, Dyke discloses the action ([0033], lines 1-8) is initiated by sending a message instructing an application to take the action ([0049], lines 1-5, Control Agent sends a message to the Media Server to join a conference).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TREVILLIAN H. HIGHTER whose telephone number is (571)270-3806. The examiner can normally be reached on Monday-Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sam Rimell/  
Primary Examiner, Art Unit 2164